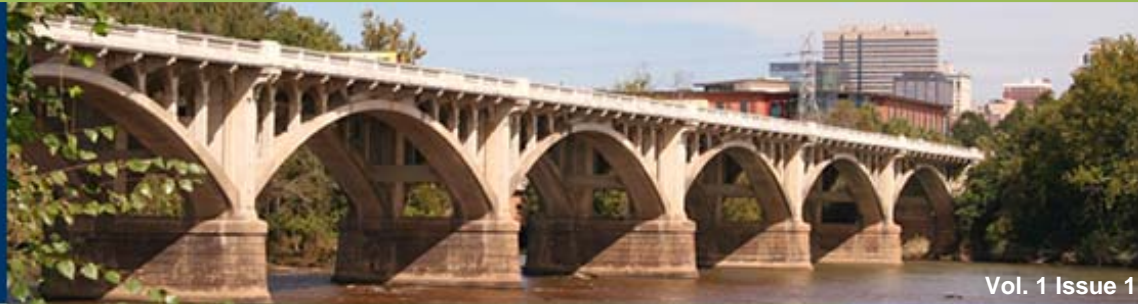


The Commission Quarterly

Summer 2010



Vol. 1 Issue 1

Inside

[Commission Celebrates 75
years of Service](#) Page 2

[Five Ways to Avoid Fines](#) Page 2

[What's New in Self Insurance?](#) Page 3

[Medical Fee Schedule Update](#) Page 3

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•From the Director's Desk•

Welcome to the return of the Workers' Compensation Commission's newsletter. It has been a while since we last distributed the Commission Update and we have made tremendous technological and procedural advancements over the last three years. We hope that you will find The Commission Quarterly useful in keeping up to date with what is happening at the Commission and the exciting advancements we foresee in the near future.

I recently celebrated my first anniversary as Executive Director of the Workers' Compensation Commission. During this time we have experienced numerous changes, most notably relocating the Commission's Office after twenty five years. Our new residence on Main Street has proven to be financially rewarding and an asset to enhancing our efficiency. Parking for visitors is provided in the Vista Center garage located on Assembly Street, there are also detailed directions and a map on our website: www.wcc.sc.gov. If you have not had an opportunity to visit our new location, I encourage you to do so.

The Commission has several projects underway. We are migrating toward a paperless document management system that allows for documents to be sent, received and viewed in a new manner. Hearing notices are now emailed electronically and implementation of electronic service of orders has begun. In November, the agency launched eCase, a search engine that provides claims information through the Commission's website. There is a continuous effort to enhance the amount of information provided through eCase and assist our constituents in accessing claims information to which they are a party. Access to eCase is available through the homepage of the Commission's website. A focus group will be formed this summer to evaluate eCase and solicit opinions about additional information that would be useful to receive online. Please contact Amanda Underhill at aunderhill@wcc.sc.gov if you are interested in participating. We would be most appreciative of your input.

As summer approaches, the Commission's staff will be busy focusing on ways that we can better serve our constituents and the level of efficiency in which we do business. I have enjoyed getting to know our business partners over the past year and look forward to continuing to do so. If you are visiting the Commission, please stop by. My door is always open and I look forward to seeing you.

Sincerely,

A handwritten signature in black ink that reads "Gary M. Connor".

Executive Director

Commission Celebrates 75 Years of Service

Franklin Delano Roosevelt was President of the United States and Olin D. Johnston had just been elected Governor of the State of South Carolina. In his inaugural address Governor Johnston said he wanted to “see South Carolina unsurpassed in the Union for the consideration shown her working people”. When Governor Johnston took office, South Carolina was one of only four states which did not have a Workers’ Compensation Act. In 1930, Senator R. M. Jeffries from Colleton County introduced the original legislation which automatically paid compensation. Many textile manufacturers as well as lawyers lobbied against the bill. There were three bills introduced over the next four years, all of them failed. In 1934 US Secretary of Labor, Frances Perkins urged our state to bring our Labor Laws in line with the rest of the nation. In December of 1934, a seven member commission made up of labor leaders, textile manufacturers and reformers agreed upon a compromise workers’ compensation system similar to that of other states. Officials from the US Department of Labor judged it as “exceptionally good as to scope and benefits.” During Governor Johnston’s second inaugural address he vowed to sign workers’ compensation legislation should the bill pass. Supporting the argument that a proper workers’ compensation law would bring business development to the state of South Carolina, Governor Johnston signed the bill into law on July 17, 1935. The South Carolina Industrial Commission was created on September 1, 1935 to administer and enforce South Carolina's first workers' compensation law. During the past seventy-five years, the law has been amended by statute, defined by case law, and altered through administrative policies and procedures; however, the basic premise and purpose of the law has remained unaltered.

Cont. Pg 4

Five Ways to Avoid Fines

There have been several changes to the Commission’s fine assessment procedures over the past year. Fines are due within thirty days after assessment. Nonpayment within sixty days of assessment schedules the issue to be addressed at a Show Cause Hearing. Form 18, Periodic Report fines are now automated and assessed daily. Most fines are assessed for failure to comply with properly filing the Form 18 and Form 19, Status Report and Compensation Receipt. Below are five ways Commission fines may be avoided:

- Communicate with the Claims Department via Form 18
- Ask for an extension
- Create a notification system for Form 18’s
- Make sure Form 19 denial has a denial letter attached
- Make sure all required forms are submitted before filing a Form 19

WC Claims Administration

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Register now to attend

September 16, 2010

A Step-by-Step Approach to
Managing Workers’
Compensation Claims in
South Carolina

*The Commission welcomes Wayne Ducote as the
Director of Coverage in the Division of Insurance and
Medical Services.*

What's New in Self-Insurance?

Recently, the Self-Insurance Division has taken several big steps into the 21st century through the use of technology. The Division is now operating paper free, having scanned all self-insurance files stored at the Commission since the creation of the Workers' Compensation Act in 1935. In addition, all of the Self-Insurance Division's daily mail is scanned as it arrives and is acted on electronically. Only original Letters-of-Credit and Surety Bonds must be maintained in original paper form, all else is destroyed after scanning. Also, all on-site self-insurance audits are now being performed electronically as a result of the data being available on-line. The Self-Insurance Division is currently looking into ways to accept applications to self-insure and receive financial statements electronically.

With the help of NCCI, the Self-Insurance and Coverage Divisions have begun to make coverage information for more than 2,000 self-insured employers available through the Commission's website link – '[Verify Coverage](#)'. Coverage information on individual self-insureds is available online now. Coverage information for self-insured funds should be available in the near future. Having this information online is expected to reduce the number of telephone requests that we receive for self-insurance coverage information and help us become more efficient in our work.

Independent Medical Evaluations

Independent Medical Evaluations conducted on or after December 15th, 2009 are not subject to a maximum allowable payment. However, IME costs continue to be reviewed in each case and listed on the Form 61 for approval by the Commission. The Medical Services Provider Manual previously determined the maximum allowable payment a physician could receive for performing an Independent Medical Evaluation was \$600.

FORM 40

The Commission is no longer accepting the Form 40, Motion for Expedited Adjudication. Motion requests should be written and mailed to the Judicial Department.

•Medical Services Provider Manual Update•

Effective July 1, 2010 the Medical Services Provider Manual, which is published and produced by the Commission, will be updated and available to the public.

Changes to the manual will include charges reflective of the Centers for Medicaid and Medicare Services (CMS) Resource Based Relative Values (RBRVS) using the 2010 values and a conversion factor of \$50. Currently, 2002 RBRVS are required with a higher conversion factor of \$52. The maximum allowable payment (MAP) for anesthesiologists was increased from \$24 to \$30 per fifteen minutes of service and the MAP for an impairment rating provided by the authorized treating physician increased from \$97 to \$150. In addition, medical testimony and medical deposition rates were increased. Medical testimony requires payment of \$600 for the first hour of testimony and \$150 for each additional fifteen minutes. Medical deposition rates were increased to \$400 for the first hour and \$100 for each additional fifteen minutes.

Inquiries regarding changes to the Medical Services Provider Manual should be directed to Al McCutcheon, Director of Insurance and Medical Services at 803•737•5718.

.....Cont., Commission Celebrates 75 Years

In May 1986, the name of the Industrial Commission was changed to the more descriptive South Carolina Workers' Compensation Commission. Historically, six basic objectives underlie the Workers' Compensation Act :

1. Provide sure, prompt, and reasonable income and medical benefits to work-related accident victims, or income benefits to their dependents, regardless of fault;
2. Provide a single remedy and reduce court delays, costs, and judicial workloads arising out of personal injury litigation;
3. Relieve public and private charities of financial demands incident to uncompensated occupational accidents;

4. Minimize payment of fees to lawyers and witnesses as well as time-consuming trials and court appeals;
5. Encourage maximum employer interest in safety and rehabilitation through an appropriate experience-rating mechanism; and;
6. Promote frank study of the causes of accidents (rather than concealment of fault) in an effort to reduce preventable accidents and human suffering.

Please join the Commission is celebrating the Workers' Compensation Act and the seventy-five years of service it has provided to the citizens of South Carolina.

South Carolina Workers' Compensation Commission

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The Commission Quarterly is published by the South Carolina Workers' Compensation Commission. Please circulate it among your colleagues. If you would like to receive The Commission Quarterly or would like to be removed from our email list, please email Kande Johnson: kjohnson@wcc.sc.gov